



UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

450 Main Street
Hartford, CT 06103
Phone: 860.240.3200
Fax: 860.240.3211

141 Church Street
New Haven, CT 06510
Phone: 203.773.2140
Fax: 203.773.2334

915 Lafayette Boulevard
Bridgeport, CT 06604
Phone: 203.579.5861
Fax: 203.579.5867

August 27, 2021

Robin D. Tabora
Clerk

Dinah Milton Kinney
Chief Deputy Clerk

Jane R. Bauer
Operations Manager

Andrea Perce
Human Resources Manager

Christopher Newton
Information Technology Manager

Melissa Ruocco
Division Manager, Hartford

Bryan Blough
Division Manager, Bridgeport

US Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Re: Carnicelli v. Fareri et al
Civil Docket No.: 3:21-cv-00792-RNC

NOTICE OF TRANSFER

The above-captioned case has been transferred to your court pursuant to an order entered on August 2, 2021. For reference, please note the following:

- ☒ The file is in electronic format unless otherwise noted below. You may access the electronic docket and the case file through our website at <https://ecf.ctd.uscourts.gov/>, using your PACER login/password.

Items enclosed:

- ☐ Original documents not otherwise filed electronically
- ☒ Certified copy of the electronic docket sheet
- ☐ Certified copy of the Order of Transfer to your jurisdiction

A duplicate notice is provided to acknowledge receipt of this notice and the enclosed documents. Please complete the acknowledgment and return it to this office.

Sincerely,

ROBIN D. TABORA, Clerk
By

/s/ Michael Bozek
Michael Bozek
Deputy Clerk

RECEIPT ACKNOWLEDGED BY: _____ DATE: _____

PRINTED NAME: _____ CIVIL CASE NO.: _____

CLOSED,EFILE

**U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:21-cv-00792-RNC**

Carnicelli v. Fareri et al
Assigned to: Judge Robert N. Chatigny
Cause: 28:1452 Removal of Claim in Civil Action Related to
BK. Case

Date Filed: 06/10/2021
Date Terminated: 08/02/2021
Jury Demand: None
Nature of Suit: 160 Stockholders Suits
Jurisdiction: Federal Question

Plaintiff

James Carnicelli, Jr.

represented by **Joseph Pastore**
Pastore & Dailey, LLC
4 High Ridge Park 3rd Fl.
Stamford, CT 06905
203-658-8454
Fax: 203-348-0852
Email: jpastore@psdlaw.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

John J. Fareri

represented by **Johanna G. Zelman**
Ford Harrison, LLP
CityPlace II
185 Asylum Street
Suite 610
Hartford, CT 06103
860-740-1361
Fax: 860-740-1393
Email: jzelman@fordharrison.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Christopher Sheskier

Defendant

Julie Fareri

Defendant

Gateway Development Group, Inc.

represented by **Irve J. Goldman**
Pullman & Comley – Bpt
850 Main St., PO Box 7006
Bridgeport, CT 06601-7006

203-330-2213
 Fax: 203-576-8888
 Email: igoldman@pullcom.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nominal Defendant

Gateway Development Group, Inc.

represented by **Howard P Magaliff**
 Rich Michaelson Magaliff, LLP
 335 Madison Avenue
 9th Floor
 New York, NY 10017
 646-453-7851
 Fax: 212-913-9644
 Email: hmagaliff@r3mlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Irve J. Goldman
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/10/2021	<u>1</u>	NOTICE OF REMOVAL by Gateway Development Group, Inc. from State of Connecticut Superior Court of Stamford, case number FST-CV-20-6048778-S . Filing fee \$ 402 receipt number ACTDC-6540731, filed by Gateway Development Group, Inc.(Goldman, Irve) Modified on 6/10/2021 to correct filer(Hushin, Z.). Modified on 6/11/2021 to correct removed case # (Hushin, Z.). (Entered: 06/10/2021)
06/10/2021		Judge Robert N. Chatigny added. (Oliver, T.) (Entered: 06/10/2021)
06/10/2021	<u>2</u>	Order on Pretrial Deadlines: Amended Pleadings due by 8/9/2021. Discovery due by 12/10/2021. Dispositive Motions due by 1/14/2022. Signed by Clerk on 06/10/2021. (Peterson, M) (Entered: 06/11/2021)
06/10/2021	<u>3</u>	ELECTRONIC FILING ORDER FOR COUNSEL – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Robert N. Chatigny on 06/10/2021. (Peterson, M) (Entered: 06/11/2021)
06/10/2021	<u>4</u>	STANDING PROTECTIVE ORDER Signed by Judge Robert N. Chatigny on 06/10/2021. (Peterson, M) (Entered: 06/11/2021)
06/11/2021	<u>5</u>	NOTICE TO COUNSEL/SELF-REPRESENTED PARTIES : Counsel or self-represented parties initiating or removing this action are responsible for serving all parties with attached documents and copies of <u>1</u> Notice of Removal, filed by Gateway Development Group, Inc., <u>3</u> Electronic Filing Order, <u>4</u> Protective Order, <u>2</u> Order on Pretrial Deadlines Signed by Clerk on 06/11/2021. (Attachments: # <u>1</u> Standing Order on Removed Cases) (Peterson, M) (Entered: 06/11/2021)

06/11/2021	<u>6</u>	NOTICE OF REMOVAL by Gateway Development Group, Inc. from Bankr. S.D.N.Y., case number 21-22304., filed by Gateway Development Group, Inc..(Goldman, Irve) (Entered: 06/11/2021)
06/14/2021	<u>7</u>	NOTICE of Appearance by Irve J. Goldman on behalf of Gateway Development Group, Inc. <i>Chapter 7 Trustee Howard Magaliff</i> (Goldman, Irve) (Entered: 06/14/2021)
06/14/2021	<u>8</u>	MOTION to Transfer to Another District <i>filed by Howard Magaliff, Chapter 7 Trustee of Gateway Development Group, Inc.</i> by Gateway Development Group, Inc.. (Goldman, Irve) (Entered: 06/14/2021)
06/14/2021	<u>9</u>	NOTICE of Appearance by Joseph Pastore on behalf of James Carnicelli, Jr (Pastore, Joseph) (Entered: 06/14/2021)
06/14/2021	<u>10</u>	NOTICE of Appearance by Howard P Magaliff on behalf of Gateway Development Group, Inc. <i>on behalf of Howard Magaliff, Chapter 7 Trustee for Gateway Development Group, Inc.</i> (Magaliff, Howard) (Entered: 06/14/2021)
06/15/2021	<u>11</u>	MOTION to Substitute Party – <i>Chapter 7 Trustee as Plaintiff for Derivative Claims and as a Party in Place of the Gateway Development Group, Inc.</i> by Gateway Development Group, Inc.. (Goldman, Irve) (Entered: 06/15/2021)
06/15/2021	<u>12</u>	NOTICE of Appearance by Johanna G. Zelman on behalf of John J. Fareri (Zelman, Johanna) (Entered: 06/15/2021)
06/16/2021	<u>13</u>	WITHDRAWN– MOTION to Remand to State Court by James Carnicelli, Jr.Responses due by 7/7/2021 (Pastore, Joseph) Modified on 7/21/2021 (Imbriani, Susan). (Entered: 06/16/2021)
06/16/2021	<u>14</u>	WITHDRAWN – OBJECTION to <i>Motion to Transfer Venue</i> filed by James Carnicelli, Jr. (Pastore, Joseph) Modified on 7/21/2021 (Imbriani, Susan). (Entered: 06/16/2021)
06/16/2021	<u>15</u>	Memorandum in Support re <u>13</u> MOTION to Remand to State Court , <u>8</u> MOTION to Transfer to Another District <i>filed by Howard Magaliff, Chapter 7 Trustee of Gateway Development Group, Inc.</i> filed by James Carnicelli, Jr. (Attachments: # <u>1</u> Exhibit Award of Arbitrators, # <u>2</u> Exhibit Memorandum of Decision on Motion to Dismiss, # <u>3</u> Exhibit Joint Scheduling Order)(Pastore, Joseph) (Entered: 06/16/2021)
06/25/2021	<u>16</u>	MOTION for Extension of Time until 14 days from Bankruptcy Court ruling <i>to file memorandum directed to Carnicelli's memorandum in opposition to the Transfer Motion and a memorandum in opposition to the memorandum in support of the Remand Motion by Gateway Development Group, Inc.</i> (Goldman, Irve) (Entered: 06/25/2021)
07/01/2021	<u>17</u>	ORDER granting <u>16</u> Consent Motion for Extension of Time until 14 days from the date the Bankruptcy Court issues a decision on the Motion to Dismiss to file, (i) a reply memorandum in response to Carnicelli's opposition memorandum to the Transfer Motion; and (ii) a memorandum in opposition to the memorandum in support of the Remand Motion. Signed by Judge Robert N. Chatigny on 7/1/2021. (Rickevicius, L.) (Entered: 07/01/2021)
07/16/2021	<u>18</u>	MOTION to Withdraw <u>13</u> MOTION to Remand to State Court by James Carnicelli, Jr. (Pastore, Joseph) (Entered: 07/16/2021)

07/16/2021	<u>19</u>	MOTION to Withdraw <u>14</u> Objection by James Carnicelli, Jr. (Pastore, Joseph) (Entered: 07/16/2021)
07/19/2021	20	ORDER granting <u>18</u> Motion to Withdraw <u>13</u> Motion to Remand. Signed by Judge Robert N. Chatigny on 7/19/2021. (Rickevicius, L.) (Entered: 07/19/2021)
07/19/2021	21	ORDER denying as moot <u>13</u> Motion to Remand to State Court in light of the request to withdrawal the motion. See ECF No. 20. Signed by Judge Robert N. Chatigny on 7/19/2021. (Rickevicius, L.) (Entered: 07/19/2021)
07/19/2021	22	ORDER granting <u>19</u> Motion to Withdraw <u>14</u> Objection. Signed by Judge Robert N. Chatigny on 7/19/2021. (Rickevicius, L.) (Entered: 07/19/2021)
08/02/2021	24	ORDER granting <u>8</u> Motion to Transfer to Another District. The motion is granted for substantially the reasons stated therein. Signed by Judge Robert N. Chatigny on 8/2/21. (Taylor, L.) Modified on 8/3/2021 to give docket entry a document number (Bozek, M.). (Entered: 08/02/2021)
08/02/2021	23	ORDER denying <u>11</u> Motion to Substitute Party. The motion is denied as moot, in light of the order granting the motion to transfer. Signed by Judge Robert N. Chatigny on 8/2/21. (Taylor, L.) (Entered: 08/02/2021)
08/02/2021		JUDICIAL PROCEEDINGS SURVEY – FOR COUNSEL ONLY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link: https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey (Bozek, M.) (Entered: 08/19/2021)
08/03/2021		Docket Entry Correction re 24 Order. Modified to give entry a document number. (Bozek, M.) (Entered: 08/03/2021)